

Message Text

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ACTION EUR-12

INFO OCT-01 NEA-10 IO-13 ACDA-12 ISO-00 CIAE-00
DODE-00 PM-05 H-01 INR-10 L-03 NSAE-00 PA-01
SP-02 SS-15 NSCE-00 INRE-00 SSO-00 HA-05 /090 W
-----111169 121855Z /50

O 121835Z JUL 78

FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC IMMEDIATE 4274

INFO USMISSION GENEVA IMMEDIATE

AMEMBASSY BELGRADE

AMEMBASSY BERLIN

AMEMBASSY BUCHAREST

AMEMBASSY BUDAPEST

AMCONSUL LENINGRAD

AMEMBASSY LONDON

USDEL MBFR VIENNA

AMCONSUL MUNICH

AMEMBASSY PARIS

AMEMBASSY PRAGUE

AMEMBASSY SOFIA

AMEMBASSY TEL AVIV

USMISSION USNATO

AMEMBASSY WARSAW

USICA WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 MOSCOW 16299

GENEVA FOR AMBASSADOR TOON

E.O. 11652: GDS

TAGS: PINT, SHUM, UR

SUBJECT: SHCHARANSKIY TRIAL: END OF THIRD DAY

1. CARAVAN OF THREE VEHICLES, ONE OF WHICH PRESUMABLY
CONTAINED ANATOLIY SHCHARANSKIY, DEPARTED COURTHOUSE
APPROXIMATELY 6:30 P.M., ENDING THIRD DAY OF SHCHARANSKIY
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TRIAL. NOT MORE THAN TWO OR THREE MINUTES EARLIER,
SOVIET AUTHORITIES PLAYED OUT ANOTHER SCENE WITH
SHCHARANSKIY'S MOTHER, INVITING HER ONCE AGAIN TO
ENTER AS PROSECUTION WITNESS. SHE PREDICTABLY REFUSED.
VEHICLE CARAVAN DEPARTED SO SOON AFTER HER REFUSAL
THAT IT ALMOST SURELY WAS LOADED AND READY TO GO EVEN
AS SHCHARANSKIY'S MOTHER WAS BEING ASKED TO COME TO

COURTROOM.

2. LEONID EMERGED ALMOST IMMEDIATELY AFTER CARAVAN'S DEPARTURE. HE TOLD THE FORTY TO FIFTY SUPPORTERS AND DOZEN WESTERN CORRESPONDENTS WHO WERE ON HAND (TOGETHER WITH EMBOFF AND CANADIAN DIPLOMAT) THAT HIS BROTHER HAD REQUESTED THAT PROSECUTION WITNESSES LIPAVSKIY AND TSEPIN BE CALLED BACK SO THAT HE COULD QUESTION THEM. THIS WAS DONE, BUT ANATOLIY'S EFFORTS WERE, IN LEONID'S VIEW, HINDERED BY JUDGE, WHO REPEATEDLY INTERFERRED WITH QUESTIONING. AS EXAMPLE, LEONID CITED LIPAVSKIY TESTIMONY ON MEETING BETWEEN SENATOR BROOKE AND SHCHARANSKIY AT WHICH LATTER ALLEGEDLY GAVE THE SENATOR A LETTER IN SUPPORT OF THE JACKSON AMENDMENT. SHCHARANSKIY ELICITED FROM LIPAVSKIY AN ADMISSION THAT LATTER HAD NOT BEEN PRESENT AT MEETING. HE THEN ASKED HOW LIPAVSKIY COULD HAVE KNOWN WHAT WAS IN LETTER, BUT JUDGE REFUSED TO PERMIT REPLY, SAYING THAT LIPAVSKIY HAD ALREADY SAID HE WAS NOT AT MEETING.

3. ALTHOUGH SPECTATORS CONTINUED TO BEHAVE CORRECTLY, LEONID SUMMED UP OVERALL ATMOSPHERE IN COURTROOM AS WORSE, BECAUSE OF HINDRANCES SUCH AS ABOVE TO ANATOLIY'S EFFORTS TO DEFEND HIMSELF. LIPAVSKIY AND TSEPIN STATEMENTS WERE PRIMARILY REHEARSED CONFIDENTIAL

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REPEATS OF THEIR PRIOR TESTIMONY CHARGE (ARTICLE 64). U.S. CORRESPONDENTS TOTH, KRIMSKY AND FRIENDLY WERE SPECIFICALLY NAMED IN LIPAVSKIY'S TESTIMONY, BUT LEONID DID NOT DISCUSS CONTEXT. IN MOMENT OF WHAT LEONID SAW AS PREVIOUSLY PREPARED THEATRICALITY, LIPAVSKIY LOOKED AT SHCHARANSKIY AND SAID: "HOW CAN JEWS LIVE IN THIS COUNTRY AFTER WHAT YOU DID?"

4. LEONID DESCRIBED ANATOLIY AS PALE AND LOOKING TIRED, BUT HANDLING HIMSELF WITH CONFIDENCE.

5. ATMOSPHERE ON STREET REMAINED ALMOST ENTIRELY CALM AND CORRECT. DURING RECOUNTING BY LEONID OF DAY'S EVENTS TO GROUP OF ABOUT SIXTY SUPPORTERS AND CORRESPONDENTS, TWO PASSERS-BY SHOUTED IMPRECATIONS AT CROWD. ONE OF THEM, AN ELDERLY MAN, WHO REFUSENIKS BELIEVE MENTALLY DISTURBED, YELLED AT CROWD THAT HE WAS A JEW, NOT THEM AND THAT THEY COULD NOT EVEN SPEAK YIDDISH. A UNIFORMED MEMBER OF MILITIA CAME OVER AFTER A FEW MOMENTS AND MOVED HIM ALONG. SECOND HECKLER, A WOMAN

WHO REFUSENIKS BELIEVE WAS SENT DELIBERATELY,
INSISTED ON PUSHING HER WAY THROUGH CENTER OF CROWD
ON SIDEWALK, RATHER THAN WALKING AROUND. SHE
CREATED ENOUGH COMMOTION THAT GATHERING GRADUALLY
BROKE UP, ALTHOUGH LEONID HAD PREVIOUSLY SPOKEN
FOR ABOUT HALF HOUR AND HAD INDICATED THAT HE
WANTED TO COLLECT HIS THOUGHTS AND GIVE FULLER
STATEMENT LATER.

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6. OUR IMPRESSION IS THAT SENTENCING WILL NOT OCCUR
BEFORE FRIDAY AND IT IS POSSIBLE THAT TRIAL ITSELF
WILL CARRY OVER UNTIL THEN. MATLOCK

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